

9-613. Judgment and sentence on indirect criminal contempt.

[For use with Magistrate Court Rules 6-201 and 6-111 NMRA
and Municipal Court Rules 8-201 and 8-110 NMRA]

STATE OF NEW MEXICO

[COUNTY OF _____]

[CITY OF _____]

_____ COURT

v.

No. _____

&

In the Matter of the Indirect Criminal Contempt of

_____, Contemnor.

JUDGMENT AND SENTENCE ON INDIRECT CRIMINAL CONTEMPT¹

This matter came before the Court on _____ (month/day/year).
_____ was represented by _____ (name and title).
_____ was present [pro se] [represented by _____, Esq.]
(name of attorney).

A trial having been held, THE COURT FINDS that the contemnor is guilty of indirect criminal contempt of this Court.

THE COURT HEREBY ORDERS the contemnor is sentenced to _____ days in the
_____ (name of detention center). _____ days are suspended. The
contemnor is placed on [supervised] [unsupervised] probation to begin on _____
(month/day/year) for _____ days, with probation conditions as follows:

- 1) _____
- 2) _____
- 3) _____

The contemnor shall report to the _____ (name of detention center)
on _____ (month/day/year) at _____ (time). This sentence shall run
[consecutive] [concurrent] with _____ (Cause No.).

THE COURT HEREBY ORDERS the contemnor shall pay the following fines and court
costs: _____

Fines in the amounts following are hereby suspended:

Date

Judge

USE NOTE

See NMSA 1978, § 35-3-9 (1991) on contempt. *See State v. Diamond*, 94 N.M. 118, 607 P.2d 656 (Ct. App. 1980) regarding indirect contempt. *See City of Bernalillo v. Aragon*, 100 N.M. 547, 673 P.2d 831 (Ct. App. 1983) regarding direct contempt. *See* Rule 5-902 NMRA for a discussion of contempt.

[As adopted by Supreme Court Order No. 09-8300-037, effective November 16, 2009.]